



Department of Health

Three Capitol Hill  
Providence, RI 02908-5097

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**STATE OF RHODE ISLAND  
CENTER FOR PROFESSIONAL BOARDS AND COMMISSIONS  
BOARD OF EXAMINERS IN DENTISTRY**

**3 CAPITOL HILL  
ROOM 401  
PROVIDENCE, RHODE ISLAND**

**WEDNESDAY, MAY 4, 2016  
8:00 A.M.**

**OPEN SESSION MINUTES**

**BOARD MEMBERS IN ATTENDANCE**

Jeffrey Dodge, DMD, Chairman  
Russell Chin, DDS  
Caroline Danish, DMD  
Martin Elson, DDS  
Kerri Friel, RDH, COA, CDA, MA  
Eric George, DMD  
Louis Marciano, BS, M.Ed.  
Martin Nager, DMD  
Susan Perlini, RDH, BS  
Robert Ricci, Ph.D.  
Marian Royer, DMD  
Maryellen Simas, RDH

**BOARD MEMBERS ABSENT**

Stephen Puerini, DMD, Vice Chairman  
Donald Williams, Secretary

**STAFF MEMBERS IN ATTENDANCE**

Sarah Harrigan, Chief, Center for Professional  
Boards and Commissions  
Sharon Friend, DMD, Board Administrator  
Kenny Alston, JD, Chief Legal Counsel  
Linda Esposito, Board Manager  
Gianna French, Paralegal

## **OTHERS IN ATTENDANCE**

Donna Wolcott, RIDAA  
Pam Coletti, RIDAA  
Francis A. Connor, Jr., RIDA, RIAOMS  
Joseph Domingo, RIAOMS  
Jon M. Anderson, Locke Lord for Lincoln Tech  
Francis Giglio, Lincoln Technical Institute  
Robin Boutin, Lincoln Technical Institute  
Marie Acken, Lincoln Technical Institute  
Lisa Tartaglione, Lincoln Technical Institute  
Nancy Kellogg, Lincoln Technical Institute  
Christy Durant, Esquire, RIDA  
Dr. Stephen Bakios, East Bay Oral Surgery  
Marie Jones-Bridges, RDH  
Frank Paletta, RIAOMS  
Mo Banki, RIAOMS

### **1. Establishment of a quorum**

A meeting of the Rhode Island Board of Examiners in Dentistry was held on Wednesday, May 4, 2016 at the Rhode Island Department of Health, Room 401, 3 Capitol Hill, Providence, RI 02908. A quorum was established and the Open Session meeting was called to order at 8:15 a.m. on a motion by Maryellen Simas, RDH and seconded by Martin Nager, DMD. Motion carried.

### **2. Motion to Adjourn to Closed Session**

A motion was made by, Maryellen Simas, RDH, and seconded by, Martin Nager, DMD, to adjourn to Closed Session at 8:15 a.m. pursuant to Sections 42-46-4 and 42-46-5(a)(4) of the Rhode Island General Laws, for investigatory proceedings regarding allegations of civil or criminal misconduct. Motion carried.

### **3. Motion to Return to Open Session**

Motion was made by Martin Nager, DMD, and seconded by Maryellen Simas, RDH, at 10:00 a.m. to re-open the Open Session and to seal the Minutes of the Closed Session pursuant to Sections 42-46-4, 42-46-5 and 42-46-7 of the Rhode Island General Laws. Board voted unanimously to approve. Motion carried.

### **4. Final Actions on all votes taken in Closed Session**

- 1 Letter of Concern
- 1 Administratively Closed
- 5 No Unprofessional Conduct

## **5. Chairman's Report**

- Communications
  - Chairman Dodge thanked the Board Members for setting aside their time today to focus on the moderate anesthesia regulations
  - The next meeting of the Board will be June 1, 2016 at 8:00 a.m.
  - Chairman Dodge asked the Board for a motion to amend the Open Agenda to include discussion about information provided to complainants once a complaint has been filed with the Department. A motion was made by Martin Nager, DMD, and seconded by Kerry Friel, RDH, to amend the agenda to include that subject matter.
    - Board Manager, Linda Esposito, advised that concerns have been raised by Board Members regarding the current process of the Department's inability to provide status information to complainants once they have filed complaints with the Department, per RIGL 38-2-2(4)P and 5-37-5.2(d). Currently, the only time a complainant finds out the status of their complaint is if public disciplinary action is taken by the Board and published on the Department of Health website. Kenny Alston, JD, Chief Legal Counsel, advised that he will review this subject matter and advise the Board further.

## **6. Board Administrator's Report**

- Sharon Friend, DMD, reported that Board Manager, Linda Esposito, has also been acting as the Licensing Aide for the Board over the last year. The Department is now moving the licensing duties to the Center for Licensing, and the new Licensing Aide will be Mariane Soto. Linda Esposito will remain the Board Manager and the Board's point of contact.

## **7. Presentation of April 6, 2016 Open Session Minutes**

- After review, a Motion was made by Martin Nager, DMD, and seconded by, Robert Ricci, Ph.D., to accept the April 6, 2016 Open Minutes with noted corrections. Motion carried.

## **8. Review of Issued Licenses List**

- Chairman Dodge read the names of new licensees for April 2016. There were two Dentists, one Dental Hygienist, and one Anesthesia Facility Permit.

## 9. **New Business**

- None for this meeting.

## 10. **Old Business**

- Lincoln Technical Institute request to amend Section 14.1(12)
  - Jon M. Anderson, Esquire, on behalf of Lincoln Technical Institute, presented a "Rulemaking Petition" requesting that the Board amend Section 14.1(12) of the Rules and Regulations. The requested amendment would add language to permit a dental hygienist, certified dental assistant or dental assistant to perform the exposure of radiographs upon documentation that the dental hygienist, certified dental assistant, or dental assistant, passed the certification examination administered by the Dental Assisting National Board, Inc. ("DANB"). A motion was made by Martin Nager, DMD, and seconded by Maryellen Simas, RDH, to review the provided information and place the subject matter on for the June 1, 2016 Board Meeting Agenda. Motion passed.
- Discussion of proposed Dental Anesthesia Rules and Regulations
  - Section 17.0 ***Qualifications for Anesthesia Permits*** (Adult-age 13 and over)
    - Break down of Anesthesia permits specific to Adult (age 13 and over) requirements for General, Moderate, Minimal and Nitrous
  - Section 17.1.2 Moderate Sedation (Adult – age 13 and over)
    - (d)6 – strike existing paragraph
    - (e) replace existing paragraph with:
      - (e) ***Dosing*** - Multi-drug therapy has a high propensity to lead to a deeper than intended level of sedation which is outside the scope of this permit. Thus the use of single agent medication within the scope of package insert dosage amounts is strongly recommended, to maintain a margin of safety and prevent unintended deep sedation. Be advised that the maximum safe dosage amount depicted on the package insert does not take into consideration the added effects of using more than one sedative agent at a time.

- Add:
  - (f) **Supplemental dosing** - when the MRD of a drug is exceeded or a second sedative agent is utilized the guidelines for moderate sedation shall apply.
    - 1. In accord with the definition of moderation sedation, the drugs and/or techniques used should carry a margin of safety wide enough to prevent unintended deep sedation.
    - 2. If a patient enters a deeper level of sedation than the dentist is qualified to provide, the dentist must stop the dental procedure until the patient returns to the intended level of sedation.
  - (g) **Qualifying Patient** – Administering moderate sedation to any patient above an ASA II plus one
    - 1. Co-morbidity requires extreme caution with a moderate sedation permit or below.
- Add: "Emergency Drug" list
- Add: "Equipment and Records" list
- Change "Section 17.2 Facility Anesthesia Permit" to **Section 17.2 Qualifications for Anesthesia Permits (Pediatric - age 12 and under)**
  - Add break down of Anesthesia permits specific to Pediatric (age 12 and under) requirements for General, Moderate, Minimal and Nitrous
- Section 22.1.1 General Anesthesia/Deep Sedation
  - (a) The dentist administering or permitting the administration general anesthesia/ deep sedation shall hold a current certificate in Basic Life Support as well as Advanced Cardiac Life Support (ACLS) ~~or~~ **and** Pediatric Advanced Life Support (PALS), as described in the ADA *Guidelines for the Use of Sedation and General Anesthesia by Dentists* (2012) [Reference X]
- Section 22.1.1
  - (d) A dentist administering or permitting the administration of general anesthesia/deep sedation to an **adult (age 13 and over) must possess a current Advanced Cardiac Life Support (ACLS) certification and** must ensure that there is **are** a minimum of ~~three~~ **two (32) additional** individuals present and on the "team of auxiliary personnel" **who also possess a current Advanced Cardiac Life Support (ACLS) certification.**

- Section 22.1.1
  - (e) A dentist administering or permitting the administration of general anesthesia/deep sedation to pediatric patients (age 12 and under) must possess a current Advanced Cardiac Life Support (ACLS) certification and a Pediatric Advanced Life Support (PALS) certification and must ensure that there is are a minimum of ~~three~~ two (32) additional individuals present and on the "team of auxiliary personnel" who also possess a current Advanced Cardiac Life Support (ACLS) certification and a Pediatric Advanced Life Support (PALS) certification;
- Section 22.1.1
  - (e)(ii) ~~an individual who is trained in Advanced a Pediatric life support as well as~~ skilled in airway management and CPR, and who also possesses a current Advanced Cardiac Life Support (ACLS) certification and a current Pediatric Advanced Life Support (PALS) certification;
- Section 22.1.2 Moderate Sedation
  - (a) The dentist administering or permitting the administration of moderate sedation shall hold a current certificate in Basic Cardiac Life Support as well as Advanced Cardiac Life Support (ACLS) ~~or Pediatric Advanced Life Support (PALS)~~, as described in the most current version of the ADA, *Guidelines for the Use of Sedation and General Anesthesia by Dentists* (2012) [Reference X].
- Section 22.1.2
  - (c) A dentist administering or permitting the administration of moderate sedation to adult patients (age 13 and over) must possess a current Advanced Cardiac Life Support (ACLS) certification and must ensure that there is are a minimum of ~~three~~ two (32) additional ~~trained~~ individuals present and on the "team of auxiliary personnel" who also possess a current Advanced Cardiac Life Support (ACLS) certification.
- Section 22.1.2
  - (d) A dentist administering or permitting the administration of moderate sedation to pediatric patients (age 12 and under) must meet the requirements set forth in §22.1.1(e).

- Section 22.2.1
  - (a) The dentist administering or permitting the administration of general anesthesia/deep sedation to adult patients (age 13 and over) ~~shall~~ must have the following ~~equipment~~:
    - STRIKE PARAGRAPHS (1) through (7)
      - Add: "Emergency Drug" list
  - (b) The dentist administering or permitting the administration of general anesthesia/deep sedation ~~in~~ to pediatric patients (age 12 and under) ~~shall~~ must have the following ~~equipment~~:
    - STRIKE PARAGRAPHS (1) through (4)
      - Add: "Equipment and Records" list
- Section 22.2.2 Moderate Sedation **(Adult – age 13 and over)**
  - The dentist administering or permitting the administration of moderate sedation to an adult patient (age 13 and over) ~~shall~~ must meet the ~~equipment~~ requirements set forth in §22.2.1(a) ~~(1)-(4) and §223.2.1(b)~~ herein.
- Section 22.2.3 Moderate Sedation **(Pediatric – age 12 and under)**
  - The dentist administering or permitting the administration of moderate sedation to a pediatric patient (age 12 and under) ~~shall~~ must meet the ~~equipment~~ requirements set forth in §22.2.1(b) herein.
- Section 22.2.4 Minimal Sedation **(Adult – age 13 and over)**
  - The dentist administering or permitting the administration of minimal sedation ~~shall~~ must meet the equipment requirements set forth as follows:
    - (1) A positive-pressure oxygen delivery system suitable for the patient being treated must be immediately available.
    - (2) When inhalation equipment is used, it must have a fail-safe system that is appropriately checked and calibrated. The equipment must also have either;
      - (i) a functioning device that prohibits the delivery of less than 30% oxygen; or
      - (ii) an appropriately calibrated and functioning in-line oxygen analyzer with audible alarm.
    - 3) An appropriate scavenging system must be available if gases other than oxygen or air are used.
- Section 22.2.5 Nitrous Oxide Analgesia **(Adult – age 13 and over)**
  - The dentist administering or permitting the administration of nitrous oxide analgesia ~~shall~~ must meet the equipment requirements set forth as follows:
    - (1) A positive-pressure oxygen delivery system suitable for the patient being treated must be immediately available.

- (2) When inhalation equipment is used, it must have a fail-safe system that is appropriately checked and calibrated. The equipment must also have either;
- (i) a functioning device that prohibits the delivery of less than 30% oxygen; or
  - (ii) an appropriately calibrated and functioning in-line oxygen analyzer with audible alarm
- (3) An appropriate scavenging system must be available if gases other than oxygen or air are used

- Section 24.1.1
  - (b) Is a minimum of ~~four~~ fifteen (415) didactic hours and ~~four~~ five (45) clinical hours;
- Sections 24.1.2 through 24.1.4
  - STRIKE: ~~Northeast Regional Board~~ and/or ~~NERB~~ and replace with CDCA

A motion was made by Martin Nager, DMD, and seconded by Marian Royer, DMD, to accept amendments to the draft of the proposed Dental Anesthesia Rules and Regulations, as noted. Motion carried.

- Review of previously approved Dental Rules and Regulations
  - A motion was made by Marian Royer, DMD, and seconded by Martin Elson, DDS, to remove and further review the language previously provided for the Public Health Dental Hygienist section, but to accept all other amendments to the first draft of the proposed Dental Rules and Regulations. Motion carried.
- Revised Nitrous Oxide and Minimal Sedation Self-Assessment Forms
  - A motion was made by Martin Nager, DMD, and seconded by Maryellen Simas, RDH, to accept the Nitrous Oxide and Minimal Sedation Self-Assessment Forms as revised. Motion carried.
- Discussion took place regarding other types of drugs that might be used and whether they would fall under the category of Anxiolysis or whether their use would require a Minimal Sedation Permit.
- Discussion took place regarding the requirement for Moderate Sedation applicants to take the simulation course at Brown University.

## 11. Public Comment

- Representatives from the Rhode Island Associations of Oral and Maxillofacial Surgeons provided specific recommendations to the moderate sedation individual permit regulations.

## **12. Adjournment**

The next Rhode Island Board of Examiners in Dentistry meeting will be held on Wednesday, June 1, 2016, at 8:00 a.m. at the Rhode Island Department of Health, Room 401, 3 Capitol Hill, Providence, RI 02908. Motion was made by Louis Marciano, BS, M.Ed., and seconded by Robert Ricci, Ph.D. to adjourn at 4:05 p.m. The Board voted unanimously to adjourn. Motion carried.

Respectfully submitted,

Linda L. Esposito  
Board Manager  
State of Rhode Island  
Center for Professional Boards and Commissions  
Board of Examiners in Dentistry